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NITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: USHIJIMA=3

In re Application of:

Toshihiro USHIJIMA et al

Appln. No.: 10/590,896

Appln. No.: 10/590,896

Filed: August 28, 2006

For: PROCESS FOR PREPARING

VARIANT OF ERYSIPELOTHRIX...)

Atty. Docket: USHIJIMA=3

Conf. No.:

Examiner: NOT YET KNOWN

Washington, D.C.

March 29, 2007

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents U.S. Patent and Trademark Office Customer Service Window Randolph Building, Mail Stop Amendment 401 Dulany Street Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

- 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114; or
- 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s),

In re Appln. No.

which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached.

- 3. Document(s) AA, AB, AC, AD, AG, are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states:
 - [X] An English translation of each document AA, AB, AC, AD, AG (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.
- 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).
- 5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application Number 10/590,891

Filing Date August 28, 2006

First Named Inventor Toshihiro USHIJIMA

Group Art Unit

Examiner Name NOT YET KNOWN

Attempt Decket Number 11SHI IIMA = 3

Complete if Known

(use as many sheets as necessary)

Sheet 1 of 2 Attorney Docket Number USHIJIMA=3

			U.S. PATE	NT DOCUMENTS	
Examiner nitials*	Cite No.1	Document Number Number-Kind Code ^{2 (alknown)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			

		FOREI	GN PATENT DO	CUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵
	AA	JP 2002-034568	02-05-2002	National Institute of Animal Health Higeta Shoyu Co Ltd. Fujita Gakuen		
	AB	JP 2000-279179	10-10-2000	National Institute of Animal Health Higeta Shoyu Co Ltd. Fujita Gakuen		
	AC	JP 2002-306163	10-22-2002	chemo Sero Therapeut Res Inst		
	AD	JP 06-030771	02-08-1994	Ajinomoto Co Inc.		
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Examiner	Date	
Signature	Considered	

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO				Complete if Known		
	RMATION D	is(CLOSURE	Application Number	10/590,891	
				Filing Date	August 28, 2006	
STATEMENT BY APPLICANT			PLICANI	First Named Inventor	Toshihiro USHIJIMA	
				Group Art Unit		
(use as many sheets as necessary)			ecessary)	Examiner Name	NOT YET KNOWN	
Sheet	2	of	2	Attorney Docket Number	USHIJIMA=3	

NON PATENT LITERATURE DOCUMENTS / OTHER INFORMATION						
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²			
	AE	Cloning and Expression in Escherichia coli of a Protective Antigen of Erysipelothrix rhusiopathiae, Jorge E. Galan, John F. Timoney Department of Veterinary Microbiology, New York State College of Veterinary Medicine, Cornell University, Ithaca New York 14853, Vol. 58. No. 9, September 1990, P. 3116-3121				
	AF	Immunological Characterization of a Protective Antigen of Erysipelothrix rhusiopathiae: Identification of the Region Responsible for Protective Immunity, Yoshihiro Shimoji, Yasuyuki Mori, and Vincent A. Fischetti, April 1999, p. 1646-1651, Laboratory of Bacterial Pathogenesis and Immunology, The Rockefeller University, New York New York 10021, and National Institute of Animal Health, Tsukuba, Ibaraki 305 Japan				
	AG	Imada, Y. (1998):69 kDa Protective antigen of Erysipelothrix Rhusiopathiae. Proc. Jpn. Pig Vet Soc. 34: 12-15				
	АН	Properties of repeat domain found in a novel protective antigen, SpaA, of Erysipelothrix rhusiopathiae, Sou-ichi Makino et al, 1998: 25: 101-109 Department of Veterinary Microbiology, University of Agriculture and Veterinary Medicine, Obihiro Hokkaido 080-8555, Japan				
	Al	Truncated Surface Protective Antigen (SpaA) of Erysipelothrix rhusiopathiae Serotype 1a Elicits Protection against challenge with Serotypes 1a and 2b in Pigs, Yumiko Imada et al., Sept. 1999, page 4376-4382, Vol. 67, No. 9				
	1					

Examiner	Date	
Signature	Considered	

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.